



ARNOLD, WHITE & DURKEE

A PROFESSIONAL CORPORATION

Attorneys at Law

POST OFFICE BOX 4433

HOUSTON, TEXAS 77210

TELEPHONE (713) 787-1400

FACSIMILE (713) 789-2679

TELEX 79-0924

#3

HOUSTON OFFICE  
780 BRENTWOOD DRIVE, SUITE 400  
HOUSTON, TEXAS 77057

AUSTIN OFFICE  
2300 ONE AMERICAN CENTER  
800 CONGRESS AVENUE  
AUSTIN, TEXAS 78701  
TELEPHONE (512) 320-7200

CHICAGO OFFICE  
800 QUAKER TOWER  
321 NORTH CLARK STREET  
CHICAGO, ILLINOIS 60610  
TELEPHONE (312) 744-0090

#4

WASHINGTON OFFICE  
2001 JEFFERSON DAVIS HWY.  
SUITE 401  
ARLINGTON, VIRGINIA 22202  
TELEPHONE (703) 415-1720

November 24, 1992

UTSK:142  
FILE:

Commissioner of Patents  
and Trademarks

ATTN: Application Processing Division  
Special Processing and Correspondence Branch  
Washington, D.C. 20231

Re: SN 07/953,680 "METHOD AND APPARATUS FOR DIRECT  
SPECTROPHOTOMETRIC MEASUREMENTS IN UNALTERED  
BLOOD--Steinke, et al. (UTHSCSA:142)

Sir:

RECEIVED

DEC 09 1992

Please find enclosed:

- (1) A Response under 37 C.F.R. § 1.53(d) to Notice to Inventor  
Missing Parts mailed September 29, 1992;
- (2) A return postcard to acknowledge receipt of these  
materials. Please stamp and mail this postcard.

Should any additional fees be required for any reason  
relating to the enclosed materials, or should an overpayment be  
included herein, please deduct or credit said fees from Arnold,  
White & Durkee Deposit Account No. 01-2508/UTSK:142/BAH.

Respectfully submitted,

David D. Bahler  
Reg. No. 30,932

070 AA 12/04/92 07953680  
DDB/SF-03 12/04/92 07953680  
Enclosures 12/04/92 07953680

1 201 355.00 CK  
1 203 143.00 CR  
1 205 65.00 CK

090 BA 01/08/93 07953680

1 201 143.00 CK



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:  
Steinke, et al.

Serial No.: 07/953,680

Filed: September 29, 1992

For: METHOD AND APPARATUS  
FOR DIRECT  
SPECTROPHOTOMETRIC  
MEASUREMENTS IN UNALTERED  
WHOLE BLOOD

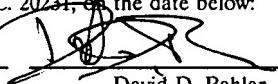
\$  
\$ Group Art Unit: Unknown  
\$  
\$ Examiner: Unknown  
\$  
\$ Atty Dkt.: UTSK:142/BAH  
\$  
\$

#4

CERTIFICATE OF MAILING  
37 C.F.R. 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, on the date below:

November 24, 1992  
Date

  
David D. Bahler

RESPONSE TO 37 C.F.R. § 1.53(d) NOTICE

Honorable Commissioner of Patents  
and Trademarks  
ATTN: Application Processing Division  
Special Processing and Correspondence Branch  
Washington, D.C. 20231

Sir:

In response to the Notice to File Missing Parts of Application Under 37 C.F.R. § 1.53(d), mailed September 29, 1992, there is enclosed herewith:

- (a) Declaration executed on behalf of A. P. Shepherd and John M. Steinke;
- (b) A Power of Attorneys on behalf of the Board of Regents, The University of Texas System;

- (c) A Declaration Claiming Small Entity Status executed on behalf of The University of Texas System;
- (d) Our check no. 8552 in the amount of \$563.00 to cover the basic filing fee for small entity (\$355.00); surcharge for late filing (\$65.00); and additional claim claim fee (\$143);
- (f) A copy of Notice to File Missing Parts of Application-Filing Date Granted.

An assignment to Board of Regents, The University of Texas System, and check no. 8551 for \$40.00 is being filed under separate cover.

If any fees are inadvertently omitted or if any additional fees are required or have been overpaid, please appropriately charge or credit those fees to Deposit Account No. 01-2508/UTSK:142/BAH. Please stamp and return the accompanying postcard to evidence receipt of these documents. A duplicate copy of this sheet is enclosed.

Respectfully submitted,



David D. Bahler  
Reg. No. 30,932

ARNOLD, WHITE & DURKEE  
P.O. Box 4433  
Houston, Texas 77210  
(512) 320-7200

Date: November 24, 1992

g:\utsk\142\pto\02.bah



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER FILING DATE FIRST NAMED APPLICANT ATTY DOCKET NO/TITLE

07/953,680 09/29/92 STEINKE

J UTSK: 142

ARNOLD, WHITE & DURKEE  
P.O. BOX 4433  
HOUSTON, TX 77210

0000

DATE MAILED: 10/21/92

**NOTICE TO FILE MISSING PARTS OF APPLICATION  
FILING DATE GRANTED**

A filing date has been granted to this application. However, the following parts are missing.

If all missing parts are filed within the period set below, the total amount owed by applicant as a

large entity,  small entity (verified statement filed), is \$ 1106.14.

1.  The statutory basic filing fee is:  missing,  insufficient. Applicant as a  large entity,  small entity, must submit \$ 1106.14 to complete the basic filing fee and MUST ALSO SUBMIT THE SURCHARGE AS INDICATED BELOW.

2.  Additional claim fees of \$ 1106.14 as a  large entity  small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. NO SURCHARGE IS REQUIRED FOR THIS ITEM.

3.  The oath or declaration:

- is missing.  
 does not cover items omitted at time of execution.

An oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date is required. A SURCHARGE MUST ALSO BE SUBMITTED AS INDICATED BELOW.

4.  The oath or declaration does not identify the application to which it applies. An oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date is required. A SURCHARGE MUST ALSO BE SUBMITTED AS INDICATED BELOW.

5.  The signature to the oath or declaration is:  missing;  a reproduction;  by a person other than the inventor or a person qualified under 37 CFR 1.42, 1.43, or 1.47. A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date is required. A SURCHARGE MUST ALSO BE SUBMITTED AS INDICATED BELOW.

6.  The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Receipt Date is required. A SURCHARGE MUST ALSO BE SUBMITTED AS INDICATED BELOW.

7.  The application was filed in a language other than English. Applicant must file a verified English translation of the application and a fee of \$ 1106.14 under 37 CFR 1.17(k), unless this fee has already been paid. NO SURCHARGE IS REQUIRED FOR THIS ITEM.

8.  A \$ 1106.14 processing fee is required for returned checks. (37 CFR 1.12 (m)).

9.  Your filing receipt was mailed in error because check was returned without payment.

10.  Other.

An Application Number and Filing Date have been assigned to this application. The missing parts and fees identified above in items 1 and 3-6 must be timely provided ALONG WITH THE PAYMENT OF A SURCHARGE of \$ 1106.14 for large entities or \$ 1106.14 for small entities who have filed a verified statement claiming such status. The surcharge is set forth in 37 CFR 1.16(e). Applicant is given ONE MONTH FROM THE DATE OF THIS LETTER, OR TWO MONTHS FROM THE FILING DATE of this application, WHICHEVER IS LATER, within which to file all missing parts and pay any fees required above to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provision of 37 CFR 1.136(a).

Direct the response to, and any questions about, this notice to ATTENTION: Application Processing Division, Special Processing and Correspondence Branch.

**A copy of this notice MUST be returned with response.**

*(Signature)*  
For: Manager, Application Processing Division  
(703) 308-1202